

Shainis & Peltzman, Chartered

Counselors at Law

Suite 240
1850 M Street, N.W.
Washington, D.C. 20036

(202) 293-0011

Fax (202) 293-0810

e-mail: shainis-peltzman.com

Aaron H. Shainis
Lee J. Peltzman

Of Counsel
William H. BuRoss, III
Robert J. Keller

November 14, 2000

RECEIVED

NOV 14 2000

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

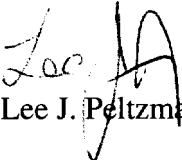
Magalie R. Salas, Esq.
Secretary
Federal Communications Commission
Portals II - 12th Street Lobby
Filing Counter - TW-A325
445 12th Street, S.W.
Washington, D.C. 20554

Re: MM Docket No. 00-166
RM-9951
Amendment of Section 73.202(b)
Table of Allotments,
FM Broadcast Stations
(Wickenburg, Aguila and Bagdad,
Arizona)

Dear Ms. Salas:

Transmitted herewith, on behalf of Circle S Broadcasting Co., Inc., is an original and four (4) copies of its Reply Comments in MM Docket 00-166. Please contact the undersigned in the event the Commission has any questions with respect to these Reply Comments.

Sincerely,


Lee J. Peltzman

Enclosure

ORIGINAL

No. of Copies rec'd 0+4
List ABCDE

RECEIVED

NOV 14 2000

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of Section 73.202(b)) MM Docket No. 00-166
Table of Allotments) RM-9951
FM Broadcasting Stations)
(Wickenburg, Aguila and)
Bagdad, Arizona))

To: Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau

REPLY COMMENTS

Circle S Broadcasting Co., Inc. ("Circle S"), licensee of Station KSWG(FM), Wickenburg, Arizona, by its counsel, hereby submits its Reply Comments in the above-captioned rule making. In support of its position, Circle S submits the following:

The Commission Notice of Proposed Rule Making, 00-2069, released September 8, 2000, proposed the allotment of Channel 242C3 at Wickenburg, Arizona. Circle S counterproposed that Channel 231C3 be allotted to Aguila, Arizona, as that community's first local service and that Channel 242C3 be substituted for Channel 231C3 at Wickenburg, Arizona and Station KSWG's license be modified accordingly. Bagdad Broadcasting Company ("BBC") counterproposed that Channel 242C3 be allotted to Bagdad, Arizona as that community's second local service.

Both Aguila and Bagdad qualify as communities deserving of local transmission service under the Communications Act. However, while Aguila currently lacks any local broadcast service, Bagdad does have a channel allotted to it. Both communities have sufficient population, economic activity and local identity to justify an additional local radio station. The public

interest would best be served by accommodating new channel allotments at both Aguila and Bagdad. To that end, Circle S has determined that both communities can be allotted transmission services: Channel 242C3 can be allotted to Aguila and an additional vacant allotment can be allotted to Bagdad.

Circle S has performed an engineering review for alternative channels to serve Bagdad. There are at least two other channels that can be allotted to Bagdad consistent with the Commission's technical rules. Channel 226C3 can be allotted to Bagdad at several locations including reference coordinates 34°, 37' 06" North Latitude; 113°, 22', 51" West Longitude, as demonstrated by the attached allocation study. This site would provide the required 70 dBu signal coverage over the city of license. Also, Channel 247C3 can be allotted to Bagdad at a number of locations including reference coordinates 34°, 33', 12" North Latitude; 113° 22', 04" West Longitude, as demonstrated by the attached allocation study. This site will also easily provide the required 70 dBu signal coverage over Bagdad. This statement of available channels and locations is not intended to be exhaustive, but amply demonstrates the possibility for an additional Bagdad allotment on a channel other than 242C3. Thus, the Commission can make an additional allotment at Bagdad and still allot Channel 231C3 to Aguila and substitute Channel 242C3 for Channel 231C3 at Wickenburg.

The Commission can equitably and fairly demonstrate radio frequencies in this case by allowing both Bagdad and Aguila an allotment – Aguila on Channel 231C3 and Bagdad on any one of the alternative available channels. See Banks, Redmond, Sunriver and Corvallis, Oregon, 13 FCC Rcd 6596 (1998) (Channel 224C2 to Sunriver in lieu of Channel 269C2 in order to allow local transmission service at both Sunriver and Redmond). Accordingly, Circle S requests that

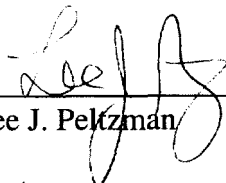
the Commission allot Channel 231C3 to Aguila while simultaneously allotting one of the available alternative channels to Bagdad.

Respectfully submitted,

CIRCLE S BROADCASTING CO., INC.

Shainis & Peltzman, Chartered
1850 M Street, N.W., Suite 240
Washington, D.C. 20036
202 293 0011

By:



Lee J. Peltzman
Its Attorney

November 14, 2000

**Channel 226C3 at Bagdad, Arizona
Allocation Study**

Reference Coordinates:

North Latitude: 34-37-06

West Longitude: 113-22-51

34 37 06 N.			Class C3					Search Date	
113 22 51 W.			Current rules spacings					11-14-00	
-----			Channel	226 - 93.1 MHz			-----		
Call	Ch#	City	State	Bear'	Dist'	R'grd	Margin		

KAFFFM	225C	Flagstaff	AZ	77.2	175.87	176.0	-0.13	*	
KQOLFM	226C	Las Vegas	NV	307.8	244.16	237.0	7.16	*	
KDKB	227C	Mesa	AZ	139.4	187.56	176.0	11.56		
KJJJ	224C2	Lake Havasu City	AZ	264.3	74.94	56.0	18.94		
RDEL	224C2	Lake Havasu City	AZ	264.3	74.94	56.0	18.94		
KADD	228C1	Laughlin	NV	297.0	101.16	76.0	25.16		
AVAC	224C1	Kingman	AZ	297.0	101.16	76.0	25.16		
KLJZ	226C1	Yuma	AZ	208.4	247.88	211.0	36.88		

Figure 1

**AD226C3, Bagdad, AZ
70 dBu Contour**

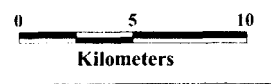
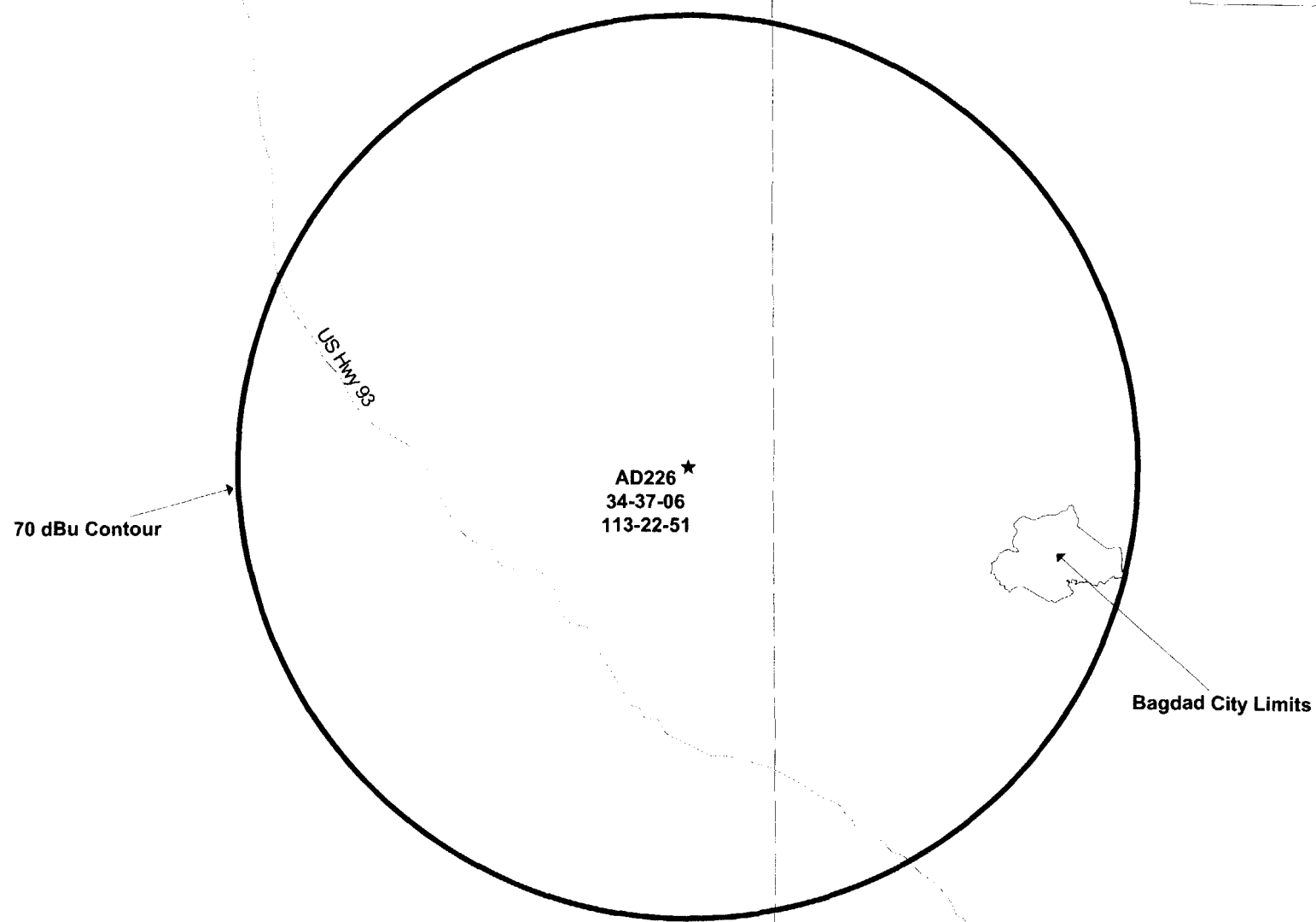


Figure 2

**Channel 247C3 at Bagdad, Arizona
Allocation Study**

Reference Coordinates:

North Latitude: 34-33-12

West Longitude: 113-22-04

34 33 12 N.			Class C3				Search Date
113 22 04 W.			Current rules spacings				11-14-00
-----			Channel 247 - 97.3 MHz				-----
Call	Ch#	City	State	Bear'	Dist'	R'qrd	Margin

KVNAFM	248C	Flagstaff	AZ	74.9	176.41	176.0	0.41 *
KBBCFM	244C2	Lake Havasu City	AZ	269.9	75.80	56.0	19.80
KLUK	250C1	Needles	CA	300.2	106.08	76.0	30.08
KXPT	246C	Las Vegas	NV	315.4	216.96	176.0	40.96

Figure 3

AD247C3, Bagdad, AZ
70 dBu Contour

70 dBu Contour

AD247 ★
34-33-12
113-22-04

Bagdad City Limits

US Hwy 93



Figure 4

CERTIFICATE OF SERVICE

I, Dawn L. Hughes, hereby certify that I mailed on the 14 day of November, 2000, a copy of the foregoing via U.S. Mail, first class, postage prepaid, to the following:

A. Wray Fitch, III, Esq.
Gammon & Grange
8280 Greensboro Drive
7th Floor
McLean, Virginia 22102-3807

Henry Crawford, Esq.
5028 Wisconsin Avenue, N.W.
Suite 301
Washington, D.C. 20016

*Nancy Joyner
Federal Communications Commission
Portals II - 12th Street, S.W.
445 12th Street, S.W.
Room 3-A522
Washington, D.C. 20554

* Via hand delivery



Dawn L. Hughes